

1 DARRELL D. DENNIS
Nevada Bar No. 006618
2 Darrell.Dennis@lewisbrisbois.com
STEPHANIE GARABEDIAN
3 Nevada Bar No. 009612
Stephanie.Garabedian@lewisbrisbois.com
4 PAIGE S. SHREVE
Paige.Shreve@lewisbrisbois.com
5 Nevada Bar No.13773
LEWIS BRISBOIS BISGAARD & SMITH LLP
6 6385 S. Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
7 702.893.3383
FAX: 702.893.3789
8 *Attorneys for Defendant Eurpac Service, Inc.*

9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 EARLY MCGEE, individually,

13 Plaintiff,

14 vs.

15 EURPAC SERVICE, INC., a Connecticut
Corporation; DOES I-X; and ROE
16 CORPORATIONS I-X, inclusive,

17 Defendant.

CASE NO.: 2:20—cv-00334-RFB-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER**

(Fourth Request)

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19 Plaintiff, EARLY MCGEE, by and through her attorneys of record, ADAM SMITH LAW,
20 and Defendant, EURPAC SERVICES, INC., by and through its attorneys of record LEWIS
21 BRISBOIS BISGAARD & SMITH LLP, hereby request that the discovery deadlines in the
22 previously filed STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND
23 SCHEDULING ORDER [Doc.23], be extended by ninety (90) days, pursuant to FRCP 29 and
24 LR-26.4, as follows:

25 **A. DISCOVERY WHICH HAS BEEN COMPLETED**

26 The parties have conducted the following discovery to date:

- 27 1. Participation in the FRCP 26(f) Conference;
- 28 2. Plaintiff has propounded Requests for Admissions, Request for Production and

1 Interrogatories and Defendant has answered;

2 3. Defendant has propounded Interrogatories, Requests for Production, and

3 Requests for Admission. Plaintiff has answered;

4 4. Plaintiff has disclosed her Initial FRCP 26(a)(1) Disclosure of Witnesses and
5 Documents;

6 5. Defendant has disclosed its Initial through Sixth Supplemental FRCP 26(a)(1)
7 Disclosures;

8 6. Defendant deposed Plaintiff; and

9 7. Defendant was able to obtain some documents from Class Six through a
10 Freedom of Information Act Request.
11

12 **B. DISCOVERY WHICH REMAINS TO BE CONDUCTED**

13 1. Deposition of Defendant's FRCP 30 (b)(6) witness;

14 2. Obtaining the entirety of Plaintiff's Medical Records;

15 3. Depositions of Plaintiff's Medical Providers;

16 4. Initial Expert and Rebuttal Expert Disclosures;

17 5. Depositions of Plaintiff's Expert Witnesses;

18 6. Depositions of Defendant's Expert Witnesses;

19 7. Service of Subpoena to Nellis Airforce Base (currently closed to civilians due
20 to COVID-19 Pandemic);

21 8. Site Inspection of the Nellis Airforce Base Exchange- Class Six (currently
22 closed to civilians due to COVID-19 Pandemic);

23 9. Additional Written Discovery; and

24 10. Any Additional Discovery Deemed Necessary.
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C. REASONS WHY THE PROPOSED DISCOVERY PLAN WAS NOT COMPLETED PRIOR TO THE EXPIRATION OF THE CURRENT DISCOVERY DEADLINE

The parties have been working diligently to complete discovery. Plaintiff responded to Defendant's written discovery, and Defendant attempted to subpoena Plaintiff's medical records and schedule a site inspection wherein the subject incident occurred. Due to the restrictions imposed by the current COVID-19 Pandemic, Nellis Airforce Base is currently closed, and the parties have been unable to serve a subpoena for relevant information and/or schedule a site inspection. Defendant has also been unable to obtain pertinent medical records from Plaintiff's treating providers who are also located on Nellis Airforce Base. Plaintiff will also file a Motion to amend her Complaint to add an additional Defendant in this matter. As such, the parties suspect the new Defendant will need time to review documents, retain experts, etc. The parties respectfully request an extension.

D. PROPOSED PLAN FOR COMPLETING DISCOVERY

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Discovery Deadline	March 23, 2021	June 23, 2021
Amend Pleading/Add Parties	December 29, 2020	March 29, 2021
Initial Expert Disclosures	January 25, 2021	April 26, 2021
Rebuttal Expert Disclosures	February 16, 2021	May 17, 2021
File Dispositive Motions	April 26, 2021	July 25, 2021
Pre-Trial Order	February 22, 2021	August 23, 2021

E. THE CURRENT TRIAL DATE

1 This matter has not been scheduled for trial.

2 **E. NUMBER OF REQUESTS FOR EXTENSION**

3 This is the fourth request to extend discovery deadlines and continue trial date.

4 DATED this 11th day of December, 2020.

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6 ADAM SMITH LAW

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8 By: /s/ Christian A. Miles
Adam D. Smith
9 Nevada Bar No. 9690
Christian A. Miles
10 Nevada Bar No. 13193
6130 Elton Avenue
11 Las Veags, Nevada 89107
12 *Attorneys for Plaintiff*

13
14 LEWIS BRISBOIS BISGAARD & SMITH LLP

15 By /s/ Stephanie Garabedian
16 DARRELL D. DENNIS
Nevada Bar No. 006618
17 STEPHANIE GARABEDIAN
Nevada Bar No. 009612
18 PAIGE S. SHREVE
Nevada Bar No. 13773
19 6385 S. Rainbow Boulevard, Suite 600
20 Las Vegas, Nevada 89118
Tel. 702.893.3383
21 *Attorneys for Defendant Eurpac Service Inc.*

22 **IT IS SO ORDERED**

23 **DATED:** 2:51 pm, December 15, 2020

24 

25 **BRENDA WEKSLER**
26 **UNITED STATES MAGISTRATE JUDGE**

CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b), I certify that I am an employee of LEWIS BRISBOIS BISGAARD & SMITH LLP, and that on this 11th day of December, 2020, I did cause a true and correct copy of the foregoing) **STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND SCHEDULING ORDER (Fourth Request)** in *Early McGee v. Eurpac Service, Inc.* to be served via the Court's CM/ECF filing system.

Adam D. Smith, Esq.
Craig A. Henderson, Esq.
Christian A. Miles, Esq.
ADAM SMITH LAW
6130 Elton Avenue
Las Vegas, Nevada 89107
Attorneys for Plaintiff

By /s/ Billi Montijo
An Employee of
LEWIS BRISBOIS BISGAARD & SMITH LLP